



Linda S. Adams
Secretary for
Environmental Protection

California Regional Water Quality Control Board San Diego Region

Over 50 Years Serving San Diego, Orange, and Riverside Counties
Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353
(858) 467-2952 • Fax (858) 571-6972
<http://www.waterboards.ca.gov/sandiego>



Arnold Schwarzenegger
Governor

September 22, 2010

Certified Mail-Return Receipt Requested
Article Number: 7010 1060 0000 4952 5071

Bulldog Concrete Pumping
Oscar Molina Pereyra
Linda Michelle Pereyra
9089 Avocado Court
Spring Valley, California 91977-3302

In reply refer to: Place ID 713170

NOTICE OF HEARING AND ISSUANCE OF COMPLAINT NO. R9-2010-0082 FOR ADMINISTRATIVE CIVIL LIABILITY AGAINST OSCAR MOLINA PEREYRA, AND LINDA MICHELLE PEREYRA, INDIVIDUALLY AND d.b.a. BULLDOG CONCRETE PUMPING FOR VIOLATIONS OF CLEANUP AND ABATEMENT ORDER NO. R9-2008-0036

Dear Mr. and Mrs. Pereyra:

Enclosed find Complaint No. R9-2010-0082 (Complaint) for Administrative Civil Liability against Oscar Molina Pereyra, Linda Michelle Pereyra, individually and d.b.a. Bulldog Concrete Pumping (collectively referred to as "Dischargers") for \$329,091 for alleged violation of Cleanup and Abatement (CAO) Order No. R9-2008-0036. The alleged violation is described in the Complaint and the attached Technical Analysis to the Complaint. To further assist you in understanding this administrative process, I have attached the Administrative Civil Liability Complaint Fact Sheet.

Waiver of Hearing

Pursuant to Water Code section 13323, the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) will hold a hearing on the Complaint no later than ninety (90) days after it is issued. You may elect to waive your right to a hearing before the San Diego Water Board. Waiver of the hearing constitutes admission of the violations alleged in the Complaint and acceptance of the assessment of civil liability in the amount of \$329,091 as set forth in the Complaint. For the San Diego Water Board to accept the waiver of your right to a public hearing, you must submit the following to the San Diego Water Board by 5 p.m., **October 21, 2010**.

1. The enclosed waiver form signed by an authorized agent of the Dischargers; and
2. A check for the full amount of civil liability of \$329,091 made out to the "State Water Resources Control Board."

California Environmental Protection Agency



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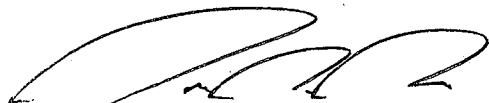
Public Hearing

Alternatively, if you elect to proceed to a public hearing, a hearing is tentatively scheduled to be held at the San Diego Water Board meeting on December 8, 2010. The meeting is scheduled to convene at the San Diego Water Board, 9174 Sky Park Court, San Diego, California, and the meeting will begin at 9 a.m. At that time, the San Diego Water Board will accept testimony, public comment and decide whether to affirm, reject, or modify the proposed liability, or whether to refer the matter for judicial civil action.

Enclosed you will find procedures I am recommending that the San Diego Water Board follow in conducting the hearing. Please note that comments on the proposed procedures are due by October 11, 2010, to the San Diego Water Board's advisory attorney, Catherine Hagan at the address indicated in the hearing procedures.

Please contact Mr. Frank Melbourn of my staff at (858) 467-2973 or by e-mail at fmelbourn@waterboards.ca.gov if you have any questions concerning this matter. The heading portion of this letter includes a San Diego Water Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the San Diego Water Board pertaining to this matter.

Respectfully,



JAMES G. SMITH
Assistant Executive Officer

JGS:jch:ftm

- Enclosures
1. Complaint No. R9-2010-0082
 2. Technical Analysis
 3. Administrative Civil Liability Complaint Fact Sheet
 4. Waiver of Public Hearing Form
 5. Proposed Hearing Procedures

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cc: Therese O'Rourke, US Army Corps of Engineers, therese.orourke@usace.army.mil
Kelly Fisher, California Department of Fish and Game, kfisher@dfg.ca.gov
Ken Greenberg, U.S. Environmental Protection Agency, greenberg.ken@epa.gov
David Karlin, City of San Diego, City Attorney's Office, dkarlin@saniego.gov
Ruth Kolb, City of San Diego, Storm Water Program, rkolb@saniego.gov

Order No.	R9-2010-0082
CIWQS Place ID	713170
Reg. Measure No.	373882
Party ID	458970
Person ID	458975